

Remarks/Arguments

Applicant would like to thank the examiner for the thorough review of the present application. A Request for Continued Examination is accompanied with the present Amendment.

The examiner has rejected claims 1-26 under 35 U.S.C. § 103(a) as being unpatentable over the O'Harrow reference in view of U.S. Patent No. 5,857,191 to Blackwell and in further view of the U.S. Patent No. 5,274,547 to Zoeffel. In order to establish a *prima facie* case of obviousness under 35 U.S.C. § 103 (a), three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves, or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all of the claim limitations.

Applicant's independent claims specifically require *a first communications link for connecting the client terminal to the CPU, thereby facilitating the transfer of the credit inquiry....and the transfer of the credit bureau response....said first communications link comprising the Internet*. Applicant respectfully submits the examiner has mischaracterized Zoeffel's dedicated communications link because Zoeffel specifically requires use of telephone lines to communicate with the Redi-Access and Accunet networks (column 5, lines 18-30), not the *Internet*, as claimed by the Applicant. The Redi-Access and Accunet networks do not employ the Internet to transmit and receive data, as recited in Applicant's independent claim 10. Zoeffel clearly fails to teach, suggest or provide any motivation for using Applicant's claimed Internet communications link because the use of telephone lines linked to the Redi-Access and Accunet networks are critical to the proper and intended function of Zoeffel's credit reporting system (column 6, lines 8-13 and lines 21-50). In fact, Zoeffel teaches away from Applicant's claimed invention so that a plurality of subscribers can share a single leased circuit connected to Accunet rather than each subscriber maintaining a separate leased circuit connected to Accunet (column 6, lines 31-36) and, therefore, Zoeffel requires two communication links 42, 44 to connect the CPU to the client terminal as

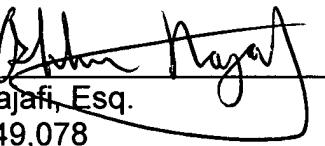
opposed to Applicant's claimed single communications link (see Zoeffel's FIG. 1).

It is respectfully submitted that the combined teachings of the references applied by the Examiner fail to disclose or even suggest the subject matter of the claims at issue. Applicant further submits the claimed invention is clearly and patentably distinguished over the prior art, since it is believed that the construction defined in these claims differs essentially and in an unobvious, highly advantageous manner from the constructions disclosed in the references. Applicant believes that combining the references discussed above would not lead to the claimed invention, in that the present invention does not merely employ the known substitution of equivalents but rather employs a new, non-obvious combination to accomplish the objectives set out in the present application.

In view of these considerations, it is respectfully submitted that the rejection of the original claims should be considered as no longer tenable. All pending dependent claims necessarily include the recitations of their independent claims and therefore are also in condition for allowance. Accordingly, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Should the examiner consider necessary or desirable to make formal changes anywhere in the specification, claims and/or drawings, then it is respectfully asked that such changes be made by examiner's Amendment, if the examiner feels this would facilitate passage of the case to issuance. Alternatively, should the examiner feel that a personal discussion might be helpful in advancing this case to allowance, he is invited to telephone the undersigned attorney.

Respectfully submitted,
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